

Fw: Re: East Bay Homeowners Association; Status Update No. 6 - Keller Transport Fuel Spill

Libby Faulk

to:

pennock.sonya

08/04/2008 07:28 AM

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From: Libby Faulk/OCP/R8/USEPA/US

To: pennock.sonya@epa.gov,

Hi Sonya,

This is the latest update that we've received from the contractor which provides a status of the work that's been done on the oil spill. I plan to forward this to the staff of Senator Baucus, Tester, and Representative Rehburg office to keep them in the loop which is what was requested by Senator Tester and Baucus staff when we were up there.

Thanks, Libby

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-----Forwarded by Libby Faulk/OCP/R8/USEPA/US on 08/04/2008 07:22AM -----

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Date: 08/01/2008 03:10PM

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Subject: Re: East Bay Homeowners Association; Status Update No. 6 - Keller Transport Fuel Spill

Dear Homeowners,

This email presents our Status Update No. 6 for the Keller Transport Fuel Spill. It has been a couple of weeks since we've updated you but this should bring everyone back up to speed.

Firstly, thank you for giving us the opportunity to update you during the recent homeowners meeting on July 26. We appreciated your time, attention, and excellent questions.

The last update was provided on June 27 at the same time as the Draft Work Plan for the site was provided to you, EPA, the Tribe and Lake County. Since that time we have:

- Met with EPA, the Tribe, and Lake County on-site on July 9,
- Participated in a teleconference with EPA on July 15,
- Received EPA comments to the work plan on July 17, and
- Provided EPA with a revised Work Plan on July 28. That document was also provided to the Homeowners association and the other agencies involved.

Based on interim feedback from EPA and the other needs of the project we have also:

- Implemented lake sampling,
- Continued sampling the water supply on a daily basis,
- Initiated planning for additional monitoring well installation,
- Continued with negotiations for vapor mitigation system installation,
- Filed a Permit Application for a Aquatic Lands Conservation Ordinance 87(a) permit with the Tribe. The Tribe has determined that a permit is not required under the ALCO.
- Submitted preliminary permit application documents with the Army Corp of Engineers. The Corps is assessing whether a permit is required and under what conditions.
- Continued ongoing design of the trenching, lift station, and treatment systems,
- Implemented limited ground water extraction and treatment from on-site monitoring wells. This is in a testing phase and will start with the most contaminated well and additional wells will be added until we reach system capacity.

We also continue to maintain and operate the current temporary treatment system and will do so until the new longer-term system is installed and fully operational.

We continue to discuss with EPA the final scope of work for the site. We are continuing with the design, permitting, and installation of those tasks and items on which there is agreement (i.e., trench installation, treatment system, well installation, well pumping). It will be necessary for counsel for Keller (Mr. Chuck Hansberry) to negotiate access agreements for some of this work with several of you. Chuck is working diligently on this and will continue to move it forward. In the absence of such access agreements we can't actually proceed with a lot of the site work so those agreements are clearly "critical path" issues.

In the coming days the excavated area of Highway 35 will be chip-sealed as required by MDT to finally complete that project. Hopefully that is only a short-term inconvenience.

As always, if you have questions or comments please do not hesitate to contact us.

Thom Morin